

U.S. DEPARTMENT OF TRANSPORTATION

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION (PHMSA)

Special Permit –Original Class 1 to Class 2

Docket Number: PHMSA – 2007-27122
 Pipeline Operator: Texas Eastern Transmission, L.P. (Spectra Energy Transmission)
 Date Requested: October 10, 2006 and September 29, 2008
 Code Section(s): 49 CFR § 192.611(a)

Grant of Special Permit:

By this order the Pipeline and Hazardous Materials Safety Administration (PHMSA) grants this special permit to Texas Eastern Transmission, L.P. (TETLP) waiving compliance from 49 CFR § 192.611(a) for one natural gas transmission pipeline segment in Westmoreland County, Pennsylvania as described below. The Federal pipeline safety regulations in 49 CFR § 192.611(a) require natural gas pipeline operators to confirm or revise the maximum allowable operating pressure (MAOP) of a pipeline segment after a change in class location.

Special Permit Segment and Inspection Area:

Westmoreland and Indiana Counties, Pennsylvania

PHMSA waives compliance from 49 CFR § 192.611(a) for one natural gas transmission pipeline segment on the Delmont Compressor Station Discharge (CSD) 24-inch Line 12 pipeline, where a change has occurred from a Class 1 location to a Class 2 location in Westmoreland County, Pennsylvania, 3.10 miles downstream of the Delmont CSD. This special permit allows TETLP to continue to operate each *special permit segment* at its current maximum allowable operating pressure (MAOP) of 1050 pounds per square inch gauge (psig) for the Delmont CSD 24-inch Line 12 pipeline. The TETLP Delmont CSD 24-inch Line 12 pipeline operates at 77.6% of specified minimum yield strength (SMYS).

This special permit applies to the *special permit segment* defined using the TETLP mile post (MP) references as follows:

- *Special permit segment* - Delmont CSD, 24-inch Line 12 – 8690 feet, Mile Post 3.51 to Mile Post 5.16, 3.10 miles downstream of the Delmont CSD.

Special permit inspection area - the area that extends 220 yards on each side of the pipeline centerline along the entire length of the Delmont CSD 24-inch Line 12 pipeline from:

- Delmont CSD, 24-inch Line 12: Mile Post 0.41 to Mile Post 27.87, (Delmont CSD pig launcher to Armagh Compressor Station Suction (CSS) pig receiver)

The ***special permit inspection area*** is located in Westmoreland and Indiana Counties, PA. The ***special permit inspection area*** starts downstream of the Delmont CSD - Mile Post 0.41 - pig launcher, and ends at the Armagh CSS - pig receiver – Mile Post 27.87 for a total of 27.46 miles.

PHMSA grants this special permit based on the findings set forth in the “*Special Permit Analysis and Findings*” document, which can be read in its entirety in Docket No. PHMSA-2007-27122 in the Federal Docket Management System (FDMS) located on the internet at www.Regulations.gov.

Conditions:

PHMSA grants this special permit subject to the following conditions:

- 1) TETLP must continue to operate the ***special permit segment*** at or below their existing MAOP as follows: Delmont CSD 24-inch Line 12 - MAOP 1050 psig.
- 2) TETLP must incorporate each ***special permit segment*** into its written integrity management program (IMP) as a “*covered segment*” in a “*high consequence area (HCA)*” in accordance with § 192.903, except for the reporting requirements contained in § 192.945. TETLP need not include the ***special permit segment*** described in this special permit in its IMP baseline assessment plan unless those areas meet the conditions of an HCA in accordance with § 192.905.
- 3) TETLP must perform a close interval survey (CIS) of the Delmont CSD 24-inch Line 12 pipeline along the entire length of all ***special permit inspection area*** no later than one year after the grant of this special permit and remediate any areas of inadequate cathodic protection. A CIS and remediation need not be performed if TETLP has performed a CIS and remediation on the Delmont CSD 24-inch Line 12 pipeline along the entire length of all ***special permit inspection area*** less than four years prior to the grant of this special permit. If factors beyond TETLP’s control prevent the completion of the CIS and remediation within one year, a CIS and remediation must be completed as soon as practicable and a letter justifying the delay and providing the anticipated date of completion must be submitted to the Director, PHMSA Eastern Region no later than one year after the grant of this special permit.
- 4) TETLP must perform periodic CIS of the ***special permit segment*** at the applicable reassessment interval(s) for a “*covered segments*” determined in concert and integrated with in-line inspection (ILI) in accordance with 49 CFR 192 Subpart O reassessment intervals as contained in 49 CFR §§ 192.937 (a) and (b) and 192.939.

- 5) TETLP must perform a Direct Current Voltage Gradient (DCVG) survey or an Alternating Current Voltage Gradient (ACVG) survey of each *special permit segment* no later than one year after the grant of this special permit to verify the pipeline coating conditions and to remediate any integrity issues in the *special permit segment*. A DCVG or ACGV survey and remediation need not be performed on *special permit segment* if TETLP has performed a DCVG or ACGV and remediation on the Delmont CSD 24-inch Line 12 pipeline along the entire length of all *special permit inspection area* less than four years prior to the grant of this special permit. TETLP must remediate any damaged coating indications found during these assessments that are classified as moderate (i.e. 35% IR and above for DCVG or 50 dB μ V and above for ACGV) or severe based on NACE International Recommended Practice 0502-2002, "*Pipeline External Corrosion Direct Assessment Methodology*" (NACE RP 0502-2002). A minimum of two coating survey assessment classifications must be excavated, classified and/or remediated per each survey crew per each time the survey is performed. If factors beyond TETLP's control prevent the completion of the DCVG or ACGV survey and remediation within one year, a DCVG or ACGV survey and remediation must be performed as soon as practicable and a letter justifying the delay and providing the anticipated date of completion must be submitted to the Director, PHMSA Eastern Region no later than one year after the grant of this special permit.
- 6) TETLP must evaluate the Delmont CSD 24-inch Line 12 pipeline for stress corrosion cracking (SCC) as follows:
 - a) TETLP must perform a stress corrosion cracking direct assessment (SCCDA) or other appropriate assessment method for SCC [such as pressure test or ILI with a crack detection tool] of the Delmont CSD 24-inch Line 12 pipeline, along the entire length of all *special permit inspection area* according to the requirements of § 192.929 and/or NACE SP 0204-2008, no later than one year after the grant of this special permit. The SCCDA or other approved method must address both high pH SCC and near neutral pH SCC. An SCCDA need not be performed if TETLP has performed an SCCDA of the Delmont CSD 24-inch Line 12 pipeline along the entire length of the *special permit inspection area*, less than four years prior to the grant of this special permit. If factors beyond TETLP's control prevent the completion of the SCCDA survey and remediation within one year, an SCCDA and remediation must be performed as soon as practicable. A letter justifying the delay, and providing the anticipated date of completion must be submitted to the Director, PHMSA Eastern Region, no later than one year after the grant of this special permit. TETLP may eliminate this Condition 6 (a), provided TETLP provides an engineering assessment showing

that the pipeline does not meet the criteria for either near neutral and high pH SCC per the applicable edition of the American Society of Mechanical Engineers Standard B31.8S, “*Managing System Integrity of Gas Pipelines*” (ASME B31.8S) Appendix A3, or NACE SP 0204-2008, “*Stress Corrosion Cracking (SCC) Direct Assessment Methodology*”, Section 1.2.1.1 and 1.2.2.

- b) If the threat of SCC exists as determined in Condition 6 (a), and when the TETLP Delmont CSD 24-inch Line 12 pipeline are exposed for any reason in the ***special permit inspection area***, and the coating has been identified as poor during the pipeline examination, then TETLP must directly examine the pipe for SCC using an accepted industry detection practice such as dry or wet magnetic particle tests. Poor coating is a coating that is damaged and is losing adhesion to the pipe. This is shown by the coating falling off the pipe, is porous, has pin holes, and/or shields the cathodic protection. Visual inspection is not sufficient to determine ‘poor coating’. It is expected that a holiday detection test at the correct voltage will be performed. TETLP must keep coating records at all excavation locations in the ***special permit inspection area*** to demonstrate the coating condition.
- 7) TETLP must submit the DCVG or ACVG, CIS and SCCDA [or other approved methods of determining SCC] findings including remediation actions in a written report to the Director, PHMSA Eastern Region, no later than two years after the grant of this special permit.
- 8) TETLP must amend applicable sections of its operations and maintenance (O&M) manual(s) to incorporate the inspection and reassessment intervals by in-line inspection (ILI), including both metal loss and geometry tools of the Delmont CSD 24-inch Line 12 pipeline along the entire length of the ***special permit inspection area*** at a frequency consistent with 49 CFR Part 192, Subpart O.
- 9) TETLP must amend applicable sections of its O&M manual(s) to incorporate the inspection and reassessment intervals by CIS of the Delmont CSD 24-inch Line 12 ***special permit segment***, at a frequency consistent with 49 CFR Part 192, Subpart O.
- 10) The assessments of the Delmont CSD 24-inch Line 12 pipelines along the entire length of the ***special permit inspection area*** using ILI, must conform to the required maximum reassessment intervals specified in § 192.939.
- 11) TETLP must schedule ILI reassessment dates for the Delmont CSD 24-inch Line 12 pipelines along the entire length of the ***special permit inspection area*** according to § 192.939, by adding the required time interval to the previous assessment date.

- 12) TETLP must ensure its damage prevention program incorporates the applicable best practices of the Common Ground Alliance (CGA) within the *special permit inspection area*.
- 13) TETLP must give a minimum of 14 days advance notice to the Director, PHMSA Eastern Region, to enable him/her to observe the excavations relating to Conditions 5, 6 (b), 19, 20, 21, 22, 23 and 24 of field activities in the *special permit segment* and/or *special permit inspection area*. Immediate response conditions do not require a 14-day advance notice, but the Director, PHMSA Eastern Region, should be notified by TETLP no later than two business days after the immediate condition is discovered.
- 14) TETLP must not let this special permit impact or defer any of the operator's assessments for HCAs under 49 CFR Part 192, Subpart O.
- 15) Within three months following the grant of this special permit and annually¹ thereafter, TETLP must report the following to the Director, PHMSA Eastern Region:
- a) In the first annual report, TETLP should describe the economic benefits of the special permit including both the costs avoided from not replacing the pipe and the added costs of the inspection program. Subsequent annual reports should address any changes to these economic benefits.
 - b) In the first annual report, fully describe how the public benefits from energy availability. This should address the benefits of avoided disruptions as a consequence of pipe replacement and the benefits of maintaining system capacity. Subsequent reports must indicate these and any pertinent changes to this initial assessment,
 - i) The number of new residences, other structures intended for human occupancy and public gathering areas built within the *special permit inspection area*.
 - ii) Any new integrity threats identified during the previous year and the results of any ILI or direct assessments performed during the previous year in the *special permit inspection area*.
 - iii) Any reportable incident, any leak normally indicated on the DOT Annual Report and all repairs that occurred during the previous year on the pipeline in the *special permit inspection area*.
 - iv) Any on-going damage prevention initiatives affecting the *special permit inspection areas* and a discussion of the success of the initiatives.

¹ Annual reports must be received by PHMSA by the last day of the month in which the Special Permit is dated. For example, the annual report for a Special Permit dated January 21, 2009, must be received by PHMSA no later than January 31, each year beginning in 2010.

- v) Any mergers, acquisitions, transfer of assets, or other events affecting the regulatory responsibility of the company operating the pipeline.
- 16) At least one cathodic protection (CP) pipe-to-soil test station must be located within each HCA with a maximum spacing between test stations of one-half mile within an HCA. In cases where obstructions or restricted areas prevent test station placement, the test station must be placed in the closest practical location. This requirement applies to any HCA within the *special permit inspection area*.
- 17) If any annual CP test station readings on the Delmont CSD 24-inch Line 12 within the *special permit inspection area* fall below 49 CFR Part 192, Subpart I requirements, remediation must occur within six months, and include a CIS on each side of the affected test station to the next test station, and any identified corrosion system modifications to ensure corrosion control. If factors beyond TETLP's control prevent the completion of remediation within six months, remediation must be completed as soon as practicable. A letter justifying the delay, and providing the anticipated date of completion must be submitted to the PHMSA Director, Eastern Region no later than the end of the six months completion date.
- 18) Interference Currents Control: Control of induced AC from parallel electric transmission lines and other interference issues in the *special permit inspection area*, that may affect the pipeline must be incorporated into the operations of the pipeline and addressed. An induced AC program to protect the pipeline from corrosion caused by stray currents must be in place within one year of the date of this special permit.
- 19) Field Coating: The coatings used on the pipeline and girth weld joints in the *special permit segment* must be non-shielding to CP. In the event that the coating type is unknown or is known to shield CP for girth weld joints, then TETLP must take special care to:
- a) Analyze ILI logs in the areas of girth welds for potential corrosion indications.
 - b) Any ILI corrosion indications above 30% wall loss at girth welds where the coating type is unknown or is known to shield CP, girth weld joints must be exposed and evaluated each time the ILI is run or until the girth weld coating is replaced.
 - c) A minimum of two girth weld joints at locations most likely to have shielding and corrosion shall be exposed and evaluated each time ILI is run. If corrosion is found, the next most likely joint is to be exposed and evaluated until no corrosion is found.
- 20) Anomaly Evaluation and Repair:
- a) General: TETLP must account for ILI tool tolerance and corrosion growth rates in scheduled response times and repairs and document and justify the values used.

- b) Dents: TETLP must repair dents to the Delmont CSD 24-inch Line 12 pipelines in the **special permit inspection area** in accordance with § 192.933 repair criteria. **Special permit inspection area** must have a geometry tool inspection as part of the initial ILI. The geometry tool can be from past ILI inspections. The timing for these dent repairs should follow TETLP O&M Manual, but must not be longer than one year after discovery.
- c) Repair Criteria: Repair criteria apply to all anomalies located on the Delmont CSD 24-inch Line 12 pipelines within the **special permit inspection area**, when they have been excavated and investigated in accordance with §§ 192.485 and 192.933 as follows:
- i) **Special permit segment** - repair any anomaly that meets either: (1) a failure pressure ratio (FPR) less than or equal to 1.39 for original Class 1 location pipe in a Class 2 location operating up to 77.6% of the specified minimum yield strength (SMYS); (2) an anomaly depth greater than 40% of pipe wall thickness.
 - ii) **Special permit inspection area** - Anomaly evaluations and repairs in the **special permit inspection area** must be performed in accordance with §§ 192.485 and 192.111 incorporating appropriate class location design factors, except HCAs outside of the **special permit segment** may be repaired in accordance with § 192.933.
 - iii) **Special permit inspection area** - the response time must be in accordance with 49 CFR Part 192, Subpart O, the applicable edition of the American Society of Mechanical Engineers Standard B31.8S, “*Managing System Integrity of Gas Pipelines*” (ASME B31.8S) and TETLP’s Integrity Management Program.
- d) Response Time for ILI Results: The following guidelines provide the required timing for excavation and investigation of anomalies based on ILI results. Reassessment by ILI will “reset” the timing for anomalies not already investigated and/or repaired. TETLP must evaluate ILI data by using either the ASME Standard B31G, “*Manual for Determining the Remaining Strength of Corroded Pipelines*” (ASME B31G), the modified B31G (0.85dL), or R-STRENG for calculating the predicted FPR to determine anomaly responses.
- i) **Special permit segment**:
 - Immediate response: Any anomaly within a **special permit segment** operating up to 77.6% SMYS that meets either: (1) an FPR equal to or less than 1.1; (2) an anomaly depth equal to or greater than 80% wall thickness loss.
 - One-year response: Any anomaly within a **special permit segment** with original Class 1 location pipe in a Class 2 location operating up to 77.6% SMYS that meets either:

(1) an FPR equal to or less than 1.39; or (2) an anomaly depth equal to or greater than 40% wall thickness loss.

- Monitored response: Any anomaly within a *special permit segment* with original Class 1 location pipe in a Class 2 location operating up to 77.6% SMYS that meets both: (1) an FPR greater than 1.39; and (2) an anomaly depth less than 40% wall thickness loss. The schedule for the response must take tool tolerance and corrosion growth rates into account.
 - ii) *Special permit inspection area*: The response time must be in accordance with 49 CFR Part 192, Subpart O, or TETLP's Integrity Management Program, whichever is shorter. Anomaly evaluations and repairs must be performed in accordance with §§ 192.485 and 192.111 incorporating appropriate class location design factors, except HCA's outside of the *special permit segment* may be repaired in accordance with § 192.933.
- 21) TETLP must provide records to PHMSA to demonstrate that the girth welds on the Delmont CSD 24-inch Line 12 pipelines were nondestructively tested at the time of construction in accordance with:
- a) The Federal pipeline safety regulations at the time the pipelines were constructed, or at least 1% of the girth welds in each *special permit segment* were non-destructively tested after construction, but prior to the application for this special permit, provided at least two girth welds in each *special permit segment* were excavated and inspected.
 - b) If TETLP cannot provide girth weld records to PHMSA to demonstrate either of the above in Condition 21 (a), TETLP must accomplish either (i) or (ii) and (iii) of the following:
 - i) Certify to PHMSA in writing that there have been no in-service leaks or breaks in the girth welds on the Delmont CSD 24-inch Line 12 pipeline within the entire *special permit inspection area* for the entire life of the pipelines, or
 - ii) Evaluate the terrain along the *special permit segment* for threats to girth weld integrity from soil or settlement stresses, and remediate all such integrity threats; and
 - iii) Excavate², visually inspect and nondestructively test at least two girth welds on the Delmont CSD 24-inch Line 12 pipeline in each *special permit segment* in accordance with the American Petroleum Institute Standard 1104, "Welding of Pipelines and Related Facilities" (API 1104) as follows:

² TETLP must evaluate for SCC any time the Delmont CSD 24-inch Line 12 pipelines are uncovered in accordance with Condition 6 (b) of this special permit.

- A. Use the edition of API 1104 current at the time the pipelines were constructed; or
 - B. Use the edition of API 1104 recognized in the Federal pipeline safety regulations at the time the pipelines were constructed; or
 - C. Use the edition of API 1104 currently recognized in the Federal pipeline safety regulations.
- c) If any girth weld in any of the *special permit segment* is found unacceptable in accordance with API 1104, TETLP must repair the girth weld immediately and then prepare an inspection and remediation plan for all remaining girth welds in the *special permit segment*, based upon the repair findings and the threat to the *special permit segment*. TETLP must submit the inspection and remediation plan for girth welds to the Director, PHMSA Eastern Region and remediate girth welds in the *special permit segment* in accordance with the inspection and remediation plan, within 60 days of finding girth welds that do not meet this Condition 21 (c).
 - d) Additionally, all oxy-acetylene girth welds, mechanical couplings and wrinkle bends in *special permit segment* must be removed.
 - e) TETLP must complete the girth weld testing, and the girth weld inspection and remediation plan, within six months after the grant of this special permit. If factors beyond TETLP's control prevent the completion of these tasks within six months, the tasks must be completed as soon as practicable and a letter justifying the delay and providing the anticipated date of completion must be submitted to the Director, PHMSA Eastern Region no later than six months after the grant of this special permit.
- 22) TETLP must identify all shorted casings (a.k.a. coupled casings) within the *special permit segment* no later than six months after the grant of this special permit, and classify any shorted casings as either having a "metallic short" (the carrier pipe and the casing are in metallic contact) or an "electrolytic short" (the casing is filled with an electrolyte), using a commonly accepted method such as the Panhandle Eastern, Pearson, DCVG, ACVG or AC Attenuation.
- a) Metallic Shorts: TETLP must clear any metallic short on a casing in the *special permit segment* no later than six months after the short is identified.
 - b) Electrolytic Shorts: TETLP must remove the electrolyte from the casing/pipe annular space on any casing in the *special permit segment* that has an electrolytic short, no later than six months after the short is identified.

- c) All Shorted Casings: TETLP must install external corrosion control test leads on both the carrier pipe and the casing in accordance with § 192.471, to facilitate the future monitoring for shorted conditions, and may then choose to fill the casing/pipe annular space with a high dielectric casing filler or other material, which provides a corrosion inhibiting environment provided an assessment and all repairs were completed.

If TETLP identifies any shorted casings within the *special permit segment*, they must monitor all casings within the *special permit segment* for shorts at least once each calendar quarter, but at intervals not to exceed 100 days, for four consecutive calendar quarters after the grant of this special permit. The intent is to identify through monitoring the calendar quarter(s) when electrolytic casing shorts are most likely to be identified. TETLP must then monitor all casings for shorts within the *special permit segment* at least once each calendar year during the calendar quarter(s) when electrolytic casing shorts are most likely to be identified. Any casing shorts found in the *special permit segment* at any time must be classified and cleared as explained above.

- 23) Pipe Seam Evaluations: TETLP must identify any pipeline in a *special permit inspection area* that may be susceptible to pipe seam issues because of the vintage of the pipe, the manufacture of the pipe, or other issues. Once TETLP has identified such issues, they must complete one or all of the following:

- a) TETLP must perform an engineering analysis to determine if there are any pipe seam threats on the Delmont CSD 24-inch Line 12 pipeline located in the *special permit inspection area*. This analysis must include the documentation that the processes in ‘M Charts’ in “*Evaluating the Stability of Manufacturing and Construction Defects in Natural Gas Pipelines*” by Kiefner and Associates updated April 26, 2007, under PHMSA Contract DTFAA-COSP02120, and Figure 4.2, ‘Framework for Evaluation with Path for the Segment Analyzed Highlighted,’ from TTO-5 “*Low Frequency ERW and Lap Welded Longitudinal Seam Evaluation*” by Michael Baker Jr., and Kiefner and Associates, et. al. under PHMSA Contract DTRS56-02-D-70036, were utilized along with other relevant materials. If the engineering analysis shows that the pipe seam issues on the Delmont CSD 24-inch Line 12 pipeline located in the *special permit inspection area* are not a threat to the integrity of the pipeline, TETLP does not have to complete Conditions 23 (b) through 23 (e). If there is a threat to the integrity of the pipeline, then one or more of Conditions 23 (b) through 23 (e) must be completed; or
- b) The *special permit segment* pipeline must be hydrostatically tested to a minimum pressure

of 100 percent SMYS, per 49 CFR Part 192, Subpart J requirements for eight continuous hours, within one year of issuance of this special permit if no 49 CFR Part 192, Subpart J was performed since 1971. The hydrostatic test must confirm no systemic issues with the weld seam or pipe. A root cause analysis, including metallurgical examination of the failed pipe, must be performed for any failure experienced to verify that it is not indicative of a systemic issue. The results of this root cause analysis must be reported to each PHMSA pipeline safety region office where the pipe is in service within 60 days of the failure; or

- c) If the pipeline in the *special permit inspection area* has experienced a seam leak or failure in the last five years and no hydrostatic test meeting the conditions per 49 CFR Part 192, Subpart J was performed after the seam leak or failure, then a hydrostatic test must be performed within one year after the grant of this special permit on the *special permit segment* pipeline; and
- d) If the pipeline in the *special permit segment* has any LF ERW seam or EFW seam conditions as noted in (i), (ii), or (iii) below, the *special permit segment* pipeline must be replaced:
 - i) constructed or manufactured prior to 1954 and had any pipe seam leaks or ruptures in the *special permit inspection area*,
 - ii) has unknown manufacturing processes, or
 - iii) has known manufacturing or construction issues that are unresolved [such as concentrated hard spots, hard heat-affected weld zones, selective seam corrosion, pipe movement that has lead to buckling, had past leak and rupture issues, or any other systemic issues].
- e) If the pipeline in the *special permit segment* has a reduced longitudinal joint seam factor, below 1.0, as defined in § 192.113, then the *special permit segment* pipeline must be replaced.

24) TETLP must perform the following surveys on the Delmont CSD 24-inch Line 12 pipeline located in the *special permit segment* or *special permit inspection area* as noted:

- a) TETLP must perform a depth of cover survey within the *special permit segment* within 4 months of receipt of this special permit. The remedial plan (remedial measures and/or additional preventive and mitigative measures) must be implemented where depth of cover surveys indicate that minimum cover criteria of § 192.327 is not met in the *special permit segment*. TETLP must submit the results of the depth of cover survey and the

remedial plan to the PHMSA Director, Eastern Region, no later than six months after the grant of this special permit. The remedial plan must be completed and implemented within one year of receipt of this special permit.

- b) TETLP must perform weekly aerial patrols, weather permitting, in the *special permit inspection area*.

25) TETLP must maintain the following records for each *special permit segment*:

- a) Documents showing that each *special permit segment* has received a 49 CFR Part 192 Subpart J, § 192.505, hydrostatic test for 8 continuous hours and at a minimum pressure of 1.25 X MAOP. If TETLP does not have hydrostatic test documentation, then the *special permit segment* must be hydrostatically tested to meet this requirement within one year of receipt of this special permit.
- b) Documents (mill test reports) showing that the pipe in each *special permit segment* meets the wall thickness, yield strength, tensile strength and chemical composition of either the American Petroleum Institute Standard 5L, 5LX or 5LS, “*Specification for Line Pipe*” (API 5L) incorporated by reference in 49 CFR Part 192 code at the time of manufacturing, or if pipe was manufactured and placed in-service prior to the inception of 49 CFR Part 192, then the pipe meets the API 5L standard in usage at that time. Any *special permit segment* that does not have mill test reports for the pipe cannot be authorized per this special permit.
- c) Documentation of compliance with all conditions of this special permit must be kept for the applicable life of this special permit for the referenced *special permit segment* and *special permit inspection area*.

26) PHMSA may extend the original *special permit segment* to include contiguous segments of the Delmont CSD 24-inch Line 12 pipeline up to the limits of the *special permit inspection area* pursuant to the following conditions. TETLP must:

- a) Provide at least 90 days advanced notice to the PHMSA Director, Eastern Region and PHMSA Headquarters of a requested extension of the Delmont CSD 24-inch Line 12 *special permit segment* based on actual class location change and include a schedule of inspections and of any anticipated remedial actions. If PHMSA Headquarters or Region Director makes a written objection before the effective date of the requested *special permit segment* extension (90 days from receipt of the above notice), the requested special permit extension does not become effective.

- b) Complete all inspections and remediation of the proposed special permit segments extension to the extent required of the original Delmont CSD 24-inch Line 12 *special permit segment*.
- c) Apply all the special permit conditions and limitations included herein to all future extensions.

27) Certification: A senior executive officer of TETLP must certify in writing the following:

- a) TETLP pipeline *special permit inspection areas* and *special permit segments* meet the conditions described in this special permit,
- b) The written manual of O&M procedures for the TETLP pipeline has been updated to include all additional operating and maintenance requirements of this special permit; and
- c) *TETLP* has implemented all conditions as required by this special permit.

TETLP must send a copy of the certification required in Condition 27 with the required senior executive signature and date of signature to the PHMSA Director, Eastern Region, within one year of the date of this special permit.

Limitations:

PHMSA grants this special permit subject to the following limitations:

- 1) PHMSA has the sole authority to make all determinations on whether TETLP has complied with the specified conditions of this special permit.
- 2) Should TETLP fail to comply with any of the specified conditions of this special permit, PHMSA may revoke this special permit and require TETLP to comply with the regulatory requirements in 49 CFR § 192.611.
- 3) PHMSA may revoke, suspend or modify a special permit based on any finding listed in 49 CFR § 190.341(h)(1), and require TETLP to comply with the regulatory requirements in 49 CFR § 192.611.
- 4) Should PHMSA revoke, suspend or modify a special permit based on any finding listed in 49 CFR § 190.341(h)(1), PHMSA will notify TETLP in writing of the proposed action and provide TETLP an opportunity to show cause why the action should not be taken; unless PHMSA determines that taking such action is immediately necessary to avoid the risk of significant harm to persons, property or the environment (see 49 CFR § 190.341(h)(2)).

- 5) The terms and conditions of any corrective action order, compliance order or other order applicable to a pipeline facility covered by this special permit, will take precedence over the terms of this special permit in accordance with 49 CFR § 190.341(h)(4).

AUTHORITY: 49 U.S.C. 60118 (c)(1) and 49 CFR § 1.53.

Issued in Washington, DC on SEP 23 2009.

A handwritten signature in black ink, appearing to read "J. Wiese". The signature is stylized with a large, sweeping initial "J" and "W".

Jeffrey D. Wiese,
Associate Administrator for Pipeline Safety